

House Study Bill 679

HOUSE FILE _____
BY (PROPOSED COMMITTEE ON
AGRICULTURE BILL BY
CHAIRPERSON MERTZ)

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act providing for a research effort to mitigate odor emitted
2 from livestock operations.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 6414YC 82
5 da/nh/5

PAG LIN

1 1 DIVISION V
1 2 ODOR MITIGATION RESEARCH FOR LIVESTOCK OPERATIONS
1 3 Section 1. NEW SECTION. 266.40 DEFINITIONS.
1 4 For purposes of this division, the following definitions
1 5 apply:
1 6 1. "Livestock" means beef cattle, dairy cattle, swine,
1 7 chickens, or turkeys.
1 8 2. "Livestock operation" means any area in which livestock
1 9 are kept in a confined space, including a confinement feeding
1 10 operation or open feedlot.
1 11 3. "Livestock producer" means the titleholder of livestock
1 12 or a livestock operation.
1 13 4. "University" means Iowa state university of science and
1 14 technology.
1 15 Sec. 2. NEW SECTION. 266.41 ESTABLISHMENT.
1 16 Iowa state university of science and technology shall
1 17 consult with the department of agriculture and land
1 18 stewardship and the department of natural resources to
1 19 establish and administer a research effort to mitigate odor
1 20 emitted from livestock operations involving swine, beef or
1 21 dairy cattle, chickens, or turkeys as provided in this
1 22 division.
1 23 Sec. 3. NEW SECTION. 266.42 PURPOSES.
1 24 The purposes of the research effort provided in section
1 25 266.41 are to accelerate the adoption of affordable and
1 26 effective odor mitigation technologies and strategies by
1 27 livestock producers, expand the number of affordable and
1 28 effective odor mitigation technologies and strategies
1 29 available to livestock producers, and provide
1 30 research-grounded information regarding odor mitigation
1 31 technologies and strategies that are ineffective or
1 32 cost-prohibitive.
1 33 Sec. 4. NEW SECTION. 266.43 DEVELOP AND ADVANCE
1 34 TECHNOLOGIES AND STRATEGIES == APPLIED ON-SITE RESEARCH
1 35 PROJECTS.
2 1 Iowa state university of science and technology shall
2 2 conduct applied on-site research projects to address whether
2 3 odor mitigation technologies or strategies can be successfully
2 4 implemented across many livestock operations, locations, and
2 5 situations, and to analyze the costs of their successful
2 6 implementation and maintenance to accomplish the purposes
2 7 provided in section 266.42.
2 8 1. The projects shall be conducted at livestock operations
2 9 on a statewide basis and under different circumstances.
2 10 2. The university shall evaluate technologies or
2 11 strategies that have a firm foundation in basic and applied
2 12 research but which may further benefit from statewide on-site
2 13 application. The technologies and strategies may include but
2 14 are not limited to the following:
2 15 a. The installation, maintenance, and use of odor
2 16 mitigating devices, techniques, or strategies.
2 17 b. The use of modeling to locate livestock operations.
2 18 c. The manipulation of livestock diet.

2 19 Sec. 5. NEW SECTION. 266.44 DEVELOP AND ADVANCE
2 20 TECHNOLOGIES AND STRATEGIES == BASIC AND APPLIED RESEARCH
2 21 PROJECTS.

2 22 Iowa state university of science and technology shall
2 23 conduct basic or applied research projects to develop or
2 24 advance technologies or strategies to accomplish the purposes
2 25 provided in section 266.42.

2 26 1. The university shall evaluate technologies or
2 27 strategies that have not been subject to comprehensive
2 28 scientific scrutiny but which demonstrate promise to
2 29 accomplish the purposes provided in section 266.42. The
2 30 technologies and strategies may include but are not limited to
2 31 the following:

2 32 a. The adaption and use of modeling to locate livestock
2 33 operations associated with keeping livestock other than swine,
2 34 and to locate livestock operations utilizing odor mitigation
2 35 devices, techniques, or strategies.

3 1 b. The installation, maintenance, and use of odor
3 2 mitigating devices, techniques, or strategies.

3 3 c. The use of topical treatments applied to manure
3 4 originating with livestock operations keeping chickens and
3 5 turkeys.

3 6 2. Nothing in this section restricts the university from
3 7 conducting its evaluation at livestock operations, including
3 8 as provided in section 266.43.

3 9 Sec. 6. NEW SECTION. 266.45 EMERGING TECHNOLOGIES AND
3 10 STRATEGIES == BASIC RESEARCH PROJECTS.

3 11 Iowa state university of science and technology shall
3 12 conduct basic research projects to investigate emerging
3 13 technologies or strategies that may accomplish the purposes
3 14 provided in section 266.42.

3 15 1. The university shall evaluate technologies or
3 16 strategies that demonstrate promise for future development but
3 17 which may require a long-term research commitment.

3 18 2. Nothing in this section restricts the university from
3 19 conducting its evaluation at livestock operations, including
3 20 as provided in section 266.43.

3 21 Sec. 7. NEW SECTION. 266.46 INFORMATION REPORTING.

3 22 In accordance with section 266.42, Iowa state university of
3 23 science and technology is the custodian of all information
3 24 including but not limited to reports and records obtained,
3 25 submitted, and maintained in connection with the research
3 26 projects conducted on the site of a livestock operation as
3 27 provided in this division. The information shall be kept
3 28 confidential by the university and its agents and employees,
3 29 except as provided in section 266.47. For purposes of this
3 30 division, such information is not subject to chapter 22 and
3 31 shall not be made public upon subpoena, search warrant,
3 32 discovery proceedings, or by any other means. A person shall
3 33 not be compelled to disclose the name or address of a
3 34 livestock producer except upon written waiver by the livestock
3 35 producer participating in the research project.

4 1 Sec. 8. NEW SECTION. 266.47 RESEARCH RESULTS == INTERIM
4 2 AND FINAL REPORTS.

4 3 Iowa state university of science and technology shall
4 4 prepare and submit reports as follows:

4 5 1. a. The university shall submit an interim report to
4 6 the general assembly each year on or before January 15,
4 7 through January 15, 2012. The interim report shall do all of
4 8 the following:

4 9 (1) Describe the university's progress in achieving the
4 10 purposes of section 266.42, and detail its efforts in carrying
4 11 out the research projects described in this division.

4 12 (2) Evaluate applied and basic research projects being
4 13 conducted or completed and provide estimates for their
4 14 completion.

4 15 (3) Make any recommendation for improving, continuing, or
4 16 expanding research and for disseminating the results of the
4 17 research to livestock producers.

4 18 b. The university shall submit a final report to the
4 19 general assembly on or before January 30, 2013. The final
4 20 report shall include a summary of efforts, the university's
4 21 findings and conclusions, and recommendations necessary to
4 22 carry out the purposes of section 266.42.

4 23 2. Nothing in this section prevents the university from
4 24 compiling information obtained, submitted, and maintained in
4 25 connection with the research projects conducted on the site of
4 26 a livestock operation as provided in this division, and
4 27 publishing that information as part of the report so long as
4 28 the information cannot be used to identify a livestock
4 29 producer or livestock operation without the consent of the

4 30 livestock producer as provided in section 266.46.

4 31 Sec. 9. NEW SECTION. 266.48 REPEAL.

4 32 This division is repealed on June 30, 2018.

4 33 EXPLANATION

4 34 This bill provides for the establishment and administration
4 35 of a research effort regarding the mitigation of odor emitted
5 1 from livestock operations involving swine, beef or dairy
5 2 cattle, chickens, or turkeys. The research effort is to be
5 3 conducted by Iowa state university in consultation with the
5 4 department of agriculture and land stewardship and the
5 5 department of natural resources.

5 6 The purpose of the bill is to accelerate the adoption of
5 7 affordable and effective odor mitigation technologies and
5 8 strategies by livestock producers.

5 9 The bill includes three specific project classifications:

5 10 (1) on-site applied research to address whether technologies
5 11 and strategies can be successfully implemented across many
5 12 livestock operations, locations, and situations; (2) basic or
5 13 applied research to evaluate technologies or strategies that
5 14 have not been subject to comprehensive scientific scrutiny but
5 15 which demonstrate promise; and (3) basic research to
5 16 investigate emerging technologies and strategies.

5 17 The bill provides that information obtained in connection
5 18 with the research projects conducted on the site of a
5 19 livestock operation is confidential, unless confidentiality is
5 20 waived by the livestock producer.

5 21 The bill requires that Iowa state university submit annual
5 22 interim reports which describe the university's progress in
5 23 carrying out the research projects and make recommendations
5 24 for improving, continuing, or expanding research and for
5 25 disseminating the results of the research to livestock
5 26 producers. The university must submit a final report to the
5 27 general assembly by January 30, 2013.

5 28 LSB 6414YC 82

5 29 da/nh/5